

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

**Confirmation No.: 7893**

Kazunori TANIGUCHI et al,

Date: November 2, 2006

Serial No.: 10/630,509

Group Art Unit: 3731

Filed: July 30, 2003

Examiner: Tuan Van NGUYEN

For: SURGICAL INSTRUMENT

VIA EFS-WEB

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**  
**REMARKS/ARGUMENT**

This Response is filed in reply to the Restriction Requirement mailed October 2, 2006. Applicant elects the invention of the Species 1 directed to the embodiment of Figures 1-29. The claims readable on this Species are identified as claims 1-38. The Examiner's indication that claims 1, 33 and 38 have been found to be generic is noted.

Applicant reserves the right to file a divisional application directed to the subject matter covered in the non-elected claims. Early and favorable consideration of the present application is earnestly solicited.

If this communication is filed after the statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
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MAX MOSKOWITZ  
Registration No.: 30,576  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700